

REMARKS

Claims 1-20 are pending. By this Amendment, claims 1 and 11 are amended.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1, 2, 4, 6-12, 14 and 16-20 under 35 U.S.C. §102(b) over Herz (U.S. Patent No. 6,029,195); rejects claims 3 and 13 under 35 U.S.C. §103(a) over Herz in view of Pitkow et al. ("Mining Longest Repeating Subsequences to Predict World Wide Web Surfing," October 1999); and rejects claims 5 and 15 under 35 U.S.C. §103(a) over Herz in view of Johnson et al. (U.S. Patent No. 5,878,384). The rejections are respectfully traversed.

In particular, none of the applied references disclose or suggest that the user information need includes a value that reflects a probability a user will browse through a content portion in at least one significant user path, as recited in independent claim 1, and similarly in independent claim 11.

Herz discloses at col. 7, lines 1-18 that each user's interest in various target objects are estimated by comparing target profiles of the target objects and the search profiles of the user.

Based on this information, Herz's system generates a user-customized rank ordered listing for the user's review.

However, this disclosure of Herz does not pertain to user information need that includes a value that reflects a probability a user will browse through a content portion in at least one significant user path. Rather, this disclosure pertains to determining similarity between a user's search profile and target profiles and generating a collection of target profiles (i.e., "clusters", see col. 4, lines 64-65) that may be of interest to the user. As disclosed in Herz at col. 7, lines 19-29:

Target objects may be of various sorts, and it is sometimes advantageous to use a single system that delivers and/or clusters target objects of several distinct sorts at once, in a unified framework. For example, users who exhibit a strong interest in certain novels may also show an interest in certain movies, presumably of a similar nature. A system in which some target objects are novels and other target objects are movies can discover such a correlation and exploit it in order to group particular novels with particular movies, e.g., for *clustering purposes*.... (Emphasis added).

Nowhere does Herz disclose a probability a user will browse through a content portion in at least one significant user path. In fact, Herz is silent as to the above-noted feature, and thus, does not disclose or suggest the above-noted feature of independent claims 1 and 11.

Neither Pitkow nor Johnson compensate for the deficiencies of Herz. Therefore, independent claims 1 and 11 define patentable subject matter. Claims 2-10 and 12-20 depend on the respective independent claims, and therefore also define patentable subject matter.

In view of the foregoing amendments and remarks, this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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